

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

LA'TOSHA BAXTER o/b/o/	)	
LA'TESHA DANIELS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 2:05cv424-T
	)	(WO)
JO ANNE B. BARNHART	)	
Commissioner of Social Security,	)	
	)	
Defendant.	)	

**ORDER**

The *pro se* plaintiff filed this action on May 6, 2005. On May 23, 2005, the court entered an order of procedure requiring the Commissioner to file an answer within ninety (90) days of service of the complaint. The briefing schedule in this case was tied to the filing of an answer. On August 19, 2005, the Commissioner filed a motion to dismiss. On October 26, 2005, the court denied the Commissioner's motion to dismiss and referred this matter back to the undersigned for further proceedings. At this juncture, a revised briefing schedule is necessary. Accordingly, it is

ORDERED as follows:

1. That on or before **November 30, 2005**, the plaintiff shall file a brief in accordance with the court's previous order including contain a section titled "Statement of the Issues." In this section *in numbered paragraphs*, the plaintiff shall state in a *concise, specific manner* each issue which the plaintiff presents to the court for resolution. The

plaintiff is specifically informed that issues not presented in the Statement of the Issues will not be considered.

2. That on or before **December 31, 2005**, the Commissioner shall file a reply brief that addresses with specificity each issue raised by the plaintiff in a manner consistent with the issues as raised in the numbered paragraphs contained in the plaintiff's Statement of Issues.

3. That the briefs shall not exceed **a total of 15 pages**, except as approved by the court upon motion. No extensions of time for filing briefs shall be allowed absent a showing of extraordinary cause.

4. That any claims or contentions by the plaintiff alleging deficiencies in the ALJ's consideration of claims or alleging mistaken conclusions of fact or law and contentions or arguments by the Commissioner supporting the ALJ's conclusions of fact or law **must include a specific reference, by page number, to the portion of the record** which (1) recites the ALJ's consideration or conclusion and (2) which supports the party's claims, contentions or arguments.

5. That issues not in accordance with this order WILL NOT be considered by the Court.

Done this 31<sup>st</sup> day of October, 2005.

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/s/Charles S. Coody  
CHARLES S. COODY  
CHIEF UNITED STATES MAGISTRATE JUDGE